



PATENT
ATTORNEY DOCKET NO. 11325-84822

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Rafael A. Sierra et al.)	Examiner:
)	
Serial No.: 09/924,156)	Art Unit: 3739
)	
Filed: August 7, 2001)	
)	
Title: METHOD FOR TREATING ACNE)	

Assistant Commissioner for Patents
Attn: Office of Petitions
Crystal Plaza Four, Suite CP4-3C23
2201 South Clark Place
Arlington, VA 22202

Dear Sir:

DECLARATION OF RAFAEL A. SIERRA

The undersigned Rafael A. Sierra, hereby declares as follows:

1. I am a joint inventor on the above-identified patent application. I have first hand knowledge of the following.
2. On November 30, 2001, a copy of the application, including the specification, claims and drawings, the assignment to the New England Medical Center Hospitals, Inc. and the inventor declaration was sent by first class mail to the home of Kathleen I. McMillan at 1958 Main Street, Concord, MA 01742 at my direction and by my Executive Assistant, Dona-Maria Dean.

3. On March 7, 2002, I called Kathleen McMillan at her place of employment Candela Corporation, 530 Boston Post Road, Wayland, MA 01778. I confirmed that she received the application, including the specification, claims and drawings, and the inventor declaration and asked that she execute the inventor declaration. She personally told me that she would not execute the inventor declaration.

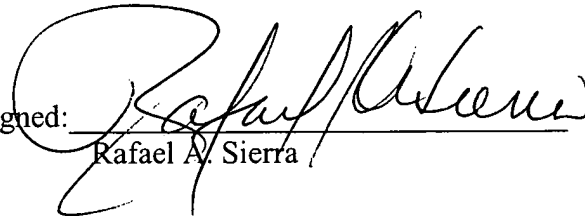
4. Kathleen McMillan stated to me that she thought the application would not be in the best interests of her present employer and that she, therefore, was not going to execute the inventor declaration.

5. The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

9/13/02

Signed:


Rafael A. Sierra



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2201 South Clark Place
Arlington, VA 22202

Dear Sir:

DECLARATION OF DONA-MARIA DEAN


RECEIVED
SEP 23 2002
OFFICE OF PETITIONS

The undersigned Dona-Maria Dean, hereby declares as follows:

1. I am the Executive Assistant of Rafael A. Sierra, who is a joint inventor on the above-identified patent application. I have first hand knowledge of the following.
2. On November 30, 2001, at the instruction of Rafael A. Sierra, I sent by first class mail a copy of the application, including the specification, claims and drawings, the assignment to the New England Medical Center Hospitals, Inc. and the inventor declaration in an envelope with sufficient postage to the home of Kathleen I. McMillan at 1958 Main Street, Concord, MA 01742 at the direction of Rafael A. Sierra.

3. I identified the specification and claims in a cover letter accompanying the mailing as "Background of the Invention" since this was prominently displayed on the first page of the specification. I identified the patent application drawings as "Copies of Case Study (Photo's)" as this was the title of the file in which the patent application drawings were placed. Even though the specification, claims and drawings were confusingly identified on the cover letter, I mailed a complete copy of the application including the specification, claims and drawings to Kathleen I. McMillan.

4. The undersigned further declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: Sept. 10, 2002 Signed: 
Dona-Maria Dean